



City of Riverside, California  
Personnel Policy and Procedure Manual

Approved:

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Human Resources Director

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City Manager

Number: I-6 Effective Date: 09/01

**SUBJECT:** REINSTATEMENT (NON-MILITARY)

**PURPOSE:**

To describe the kind and degree of benefits that an individual shall receive if reinstated after voluntary or involuntary separation, termination or demotion.

**POLICY:**

1. **Employees Who Have Voluntarily Terminated**

To be considered for reinstatement, the former employee must have completed a probationary period and must have left City employment under favorable conditions. Approval of the department head and Human Resources Director shall be necessary prior to reinstatement.

The degree of City provided benefits that an individual shall receive is determined by the length of time elapsing between the effective date of termination and the date of re-employment. State retirement system benefits shall be handled in accordance with existing Public Employee's Retirement System (PERS) policies.

General and Refuse Unit employees with a hire date prior to August 3, 1979, who voluntarily terminate and apply for reinstatement, shall not, upon reinstatement, have the unused sick leave pay off benefit restored.

As a condition of reinstatement, the City may, at its sole discretion, require the employee to pass a medical examination, including a drug screen, administered at City expense.

- a. **Reinstatement Within Three Months** - A former regular employee reinstated within a three-month period following termination shall be entitled to the same vacation accrual rate attained immediately prior to termination and shall be credited for previously accumulated sick leave hours forfeited at termination. Reinstatement shall be at the salary step previously held. Length of service shall be determined by excluding the time not employed by the City. The review date for performance reviews and/or merit increases shall be extended by a period of time equal to the period of absence from City employment.

- b. Reinstatement From Three Months to One Year - A former regular employee shall be considered for employment without having to re-qualify through the normal competitive examination process provided that re-application is for a position in the same job class held immediately prior to separation and provided that he/she meets the current minimum qualifications of the position. Reinstatement shall be at the salary step previously held and the review date for performance reviews and/or merit increases and the adjusted hire date shall be determined from the date of reinstatement. The former regular employee returning within this time frame shall receive benefits as a new employee. A new probationary period shall be required.

## 2. **Reinstatement of Employees Laid Off, Demoted, or Voluntarily Demoted**

A regular employee who has been laid off or demoted as a convenience to the City (i.e., as a result of budget reduction or reorganization), shall be entitled to reinstatement consideration without competitive re-qualification for up to two years from the date of layoff or demotion provided the employee meets the minimum qualifications of the position.

- a. Demoted or Voluntarily Demoted Employee - Reinstatement for employees demoted as a convenience to the City shall be at the salary step held immediately prior to demotion and the previous review date for performance and/or merit shall be retained.

Reinstatement rights do not apply to employees who have been demoted either voluntarily or by City action as a result of their inability to adequately perform the duties and/or responsibilities of the job.

- b. Laid Off Employee - Reinstatement within a twenty-four month period following layoff shall entitle the employee to the same vacation accrual rate attained immediately prior to termination as well as credit for previously accumulated sick leave hours lost at the time of termination.

Reinstatement shall be at the salary step previously held and the review date for performance reviews and/or merit increases shall be extended by a period of time equal to the period of layoff.

Length of service shall be determined by excluding time not employed by the City.

General and Refuse Unit employees with a hire date prior to August 3, 1979 who are laid off as a convenience to the City shall, upon reinstatement, have the unused sick leave pay off benefit restored.

**PROCEDURE:**

<b>Responsibility</b>	<b>Action</b>
Former Employee or Voluntarily Demoted Employee	1. Notifies Human Resources Department of desire to be considered for reinstatement to a position held immediately prior to termination or voluntary demotion.
Human Resources Department	2. Checks the appropriate Personnel Action Form: <ul style="list-style-type: none"> <li>a. If the request is from a former employee, checks the final terminating Personnel Action Form (P-2) to determine if the last date of employment is with-in the required time period and whether the applicant was recommended for rehire.</li> <li>b. If the request is from a current employee, checks the Personnel Action Form, which recorded the voluntary demotion, to determine whether the date of that transaction is within the required two-year period.</li> </ul>
	3. Gives applicant eligible for reinstatement rights appropriate employment application(s).
	4. Informs ineligible applicants not qualifying under steps 2a or 2b of the current employment procedure.
Applicant	5. Fills out employment application and related forms and returns forms to the Human Resources Department.
Human Resources Department	6. Reviews the application to determine whether the individual meets the current minimum qualifications of the job classification.
	7. If it is determined that the applicant is not qualified for the position applied for, notifies applicant of the reason(s) for rejection.
	8. If it is determined that the applicant is qualified for the position applied for and is eligible for reinstatement rights:



- a. Places applicant's name on appropriate eligibility list, if one exists,
  - or
  - b. Places applicant's name on a reinstatement list which shall be initiated in lieu of an eligibility list.
- 9. Refers all applicants with reinstatement rights to departments for consideration whenever an opening occurs.
- Department
- 10. Considers the application in the selection process.
  - a. If selected, indicates on the hiring Personnel Action Form (P-2) whether the individual is returning within three months or two years in the case of layoff and therefore entitled to the seniority used to compute sick leave and vacation benefits as well as credit for previously accumulated sick leave hours.
  - b. If not selected, returns application to Human Resources with certification package.
- Human Resources Department
- 11. Reviews Personnel Action Form (P-2) and forwards to Payroll for processing.
- 12. Purges periodically reinstatement lists and eligibility lists of applicants with expired reinstatement rights.